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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,087	06/30/2003	Milton Gregory Matlock	8564-000029/US	8112
33727	7590	10/05/2005		
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			EXAMINER GOINS, DAVETTA WOODS	
			ART UNIT	PAPER NUMBER
			2632	
DATE MAILED: 10/05/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/608,087

Applicant(s)

MATLOCK ET AL.

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 8-15 and 17-23 are rejected under 35 U.S.C. 102(e) as being anticipated by House et al. (US Pat. 6,834,256 B2).

In reference to claims 1, 12, 18, 21, 23, House discloses a) the claimed plurality of sensors for monitoring operating conditions of a motor, which is met by motor sensors 204 (col. 7, lines 25-47), and b) the claimed removable data storage device for storing data relating to the monitored conditions, which is met by historical database may also be updated by manual data transfer means using, for example, conventional removable storage media (col. 6, lines 1-18).

In reference to claims 2, 10, 19, House discloses the claimed database having stored therein tolerance values for operating conditions, which is met by database 303 including motor repair data (col. 5, lines 18-25).

In reference to claims 3, 4, 9, 11, 20, House discloses the claimed data analysis component for comparing the data relating to eh monitored operating conditions, and configured to provide a

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warning indication, which is met by data quality checking is performed for current analysis (309) and continuously monitors sensors at the subject motor, upon the motor system reaching threshold limits, an alarm condition is determined (col. 6, lines 19-67; col. 7, lines 1-46).

In reference to claims 5, 12, House discloses the claimed operating conditions comprise at least monitoring bearing temperature, such as overheating, low voltage, over voltage, improper ventilation, and high ambient temperature (Figure 2).

In reference to claims 6, 13, 15, House discloses the claimed removable data storage device is configured for remote interface, which is met by a communications server 202 may be used to handle exchange of digital information between the motor system site and the remote diagnostic computer system.; field data may be collected from motor 204 by an on-site motor control system or motor monitoring/diagnostic system 205 and up-loaded via landline or wireless link to remote computer system 201 and/or a remote database (col. 7, lines 25-47).

In reference to claims 8, 14, House discloses the claimed user activated component for generating a signal when activated by a user, which is met by use of laptop computer to acquire field data directly form the sensors (co. 7, lines 25-47).

In reference to claim 17, House discloses the claimed programmable device configured to store data to the data storage device at predetermined time intervals and maintaining storage of the data for a predetermined period of time, which is met by over a period of time, the historical database of part/component failure rate data is compiled. In one example embodiment of the

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invention discussed herein, the historical database is maintained and motor reliability computations are performed on a computer system that is remote from the motor system site (FIG. 4). The historical database may also be updated by manual data transfer means using, for example, conventional removable storage media (col. 6, lines 4-18).

In reference to claim 22, House discloses the claimed method of providing a warning indication when at least one monitored condition is determined to exceed a threshold, which is met by determining any alarm conditions that have exceeded a threshold and triggering a notification alarm condition when appropriate 304 (col. 5, lines 36-46; col. 7, lines 1-24).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over House et al.

In reference to claims 7, 16, although House does not disclose the claimed power source, he does disclose a motor diagnostic system and physical network 200 (col. 7, lines 25-47). Since House discloses a system that includes sensors to monitor the condition of a motor, it would have been

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obvious to one of ordinary skill in the art at the time of the invention to include some means of power for operating the system.

5. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Bramlett et al. (US Pat. 6,857,474 B2), which discloses a system that monitors the condition of a motor.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.W.G.

October 2, 2005

Davetta W. Goins
Primary Examiner
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